



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: R. Weinstein
SERIAL NO.: 10/082,682
FILED: February 25, 2002
EXAMINER: Erick Rekstad
DOCKET NO.: SENT 9357US
GROUP ART UNIT: 2613
FOR: Method And System For Remote
Wireless Video Surveillance

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15 2005.

J. Joseph Muller
J. Joseph Muller, Reg. No. 28, 450

Sept. 15, 2005
Date of Signature

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2005
St. Louis, Missouri

DECLARATION OF RICHARD D. WEINSTEIN UNDER 37 C.F.R 1.132

The below-signed person skilled in the art, subject to penalties of perjury, does hereby declare and state as follows:

1. I was awarded a Bachelor of Science Degree in Business Administration and Management from the University of Missouri in 1974.
2. I have 27 years experience in the electronics industry. In particular, I have experience in the field of telecommunications and have built a nationwide fiber optics network. I also have experience in the design, engineering, and development of covert and overt video surveillance platforms such as that shown and described in U.S. patent

application Serial No. 10/082,682 (U.S. Publication No. 200310163826), the present application.

3. I have worked for such companies as Sentrus, Inc., Digital Teleport Inc. and Digital Teleresources, Inc. I am currently president of Sentrus, Inc., the assignee of the present application.

4. I am familiar with patents and the United States patent application process. I am the sole named inventor for pending U.S. patent application having U.S. Serial No. 10/082,682 (U.S. Publication No. 200310163826).

5. I have reviewed the specification, drawings and claims for application U.S. Serial No. 10/082,682.

6. I have reviewed the Examiner's comments in the office action of June 16, 2005, regarding purported obviousness of Claims 1, 2, 3, 5, 7 and 8 by U.S Patent Publication No. 2003/0035386 ("the *Sullivan* reference").

7. I have read and considered the *Sullivan* reference.

8. I have reviewed the claim language of Claims 1, 2, 3, 5, 7 and 8 and new claims 11-14 to be added in a document entitled "Response To Second Office Action" which is filed concurrently herewith.

9. With regard to the *Sullivan* reference and notwithstanding the document entitled "Declaration Of Richard Weinstein Under 37 C.F.R. 1.131" (filed concurrently herewith) which properly removes the *Sullivan* reference as prior art, the *Sullivan* reference teaches a very different system than the claimed system of the present application ("the present system"). The *Sullivan* reference teaches a method of utilizing satellite feeds and a method of utilizing video production equipment to commercially

offer video from public or private events. The *Sullivan* reference teaches “[t]he improved apparatus and method also provide high speed Internet access anywhere...” and “[t]he control processor converts the live media content...” As such, the *Sullivan* reference teaches transferring video data over the public Internet. In contrast, the present system comprises a platform for surveillance of events in an IP format.

10. As stated above, the *Sullivan* reference teaches using the public Internet as a transport path. The transport path of the present system comprises a private radio frequency (RF) microwave network (intranet), which cannot be viewed by the “public” on the Internet. The present system comprises a secure transport path, via AES (NIST/NSA) approved encryption technology, sent along the microwave transmission.

11. The *Sullivan* reference provides for viewing of a remote “live event” to “webcast viewers” from either a webcaster ISP or a direct satellite “teleport” type feed(s), i.e. a public Internet webcaster or a satellite. In contrast, the present system allows the users to view the secure video data over a private, encrypted/secure, point to point or point to multipoint RF microwave transport means.

12. The *Sullivan* reference specifically utilizes satellite facilities. As taught in the *Sullivan* reference, element nos. 108, 110, 112 and 116 disclose the transmission path or transport means, which includes an uplink system, a communication satellite, a teleport facility and a webcast system respectively. The present system utilizes private, encrypted/secure, point to point or point to multipoint RF microwave transport means. In the applicant’s system, after the video data passes from the distant end to the hosting location and viewed by the user, then the video feed may be forwarded over a secure (not the public Internet) satellite facility.

13. The *Sullivan* reference teaches video acquisition of live events using TV cameras and recording equipment. A production switcher (reference no. 104) common to sports or media events then cues an event feed to the satellite portable uplink station (reference nos. 106 and 108) to broadcast the event-based video. The present system acquires surveillance data (relating to defense and investigatory video) via covert, miniature cameras. The cameras of the present system link to a video codec and the wireless microwave RF transceivers transport the video data on an encrypted basis to the remote viewer desktop. The person or entity effectuating the surveillance views the video data selectively.

14. The *Sullivan* reference teaches a Content Delivery Network. Additionally, the *Sullivan* reference teaches the use of a "...novel TCP proxy process" to adjust for propagation delays. The present system is generally utilized less than 100 miles and requires only the direct transmission of video feed to the end viewing point.

15. I have reviewed the Examiner's comments in the office action of June 16, 2005, regarding purported obviousness of Claims 4, 6, 9 and 10 by U.S. Patent Publication No. 2003/0035386 (*Sullivan*) in further view of U.S. patent 6,698,021 (Amini et al. ("the *Amini* reference")).

16. I have read and considered the *Amini* reference.

17. I have reviewed the claim language of Claims 4, 6, 9 and 10 and new claims 11-14 as to be added in the document entitled "Response To Second Office Action" which is filed concurrently herewith.

18. I incorporate my previous statements relating to the *Sullivan* reference.

19. The *Amini* reference teaches a central archival registry of video data using remote sites (reference no. 300), a viewing site (reference no. 320) and an off site storage (reference no. 330), wherein public/private network(s) provide for viewing of the video data. This reference simply refers to the viewing of security cameras (#312), on an archived and recorded database, i.e. “after the fact.” In other words, the *Amini* reference merely teaches a method for the remote viewing of a security camera. Additionally, this reference utilizes, dedicated and non-dedicated networks (reference nos. 340 and 350) to access the video. In contrast, the present system views events on a real time basis. The present system comprises remote wireless viewing of surveillance video over encrypted and dedicated wireless microwave networks. Thus, the video surveillance of the present system is portable or fixed, while achieving connectivity over encrypted wireless networks. The present system allows for immediate (as opposed to the delayed viewing taught by *Amini*) viewing of video in criminal, governmental, and institutional situations for immediate reaction. Furthermore, the present system allows for the remote panning, tilting and zooming of cameras to assess the immediate threats of such situations while acquiring the surveillance video of the situation. Additionally, the present system provides remote sensors to interact with the video and alert, in “real time”, the user through the wireless network that a breach of security of some other event has occurred under the surveillance. As such, the present system generates an immediate reaction to the event.

20. In the Abstract, the *Amini* reference discloses “...enabling real-time off-site video image storage.” This statement appears to be in conflict and needs to be further considered. “Off-site video image storage” refers to images stored of an event that has

occurred some time in the past. "Real-time" means an event that has just happened or is occurring at the present time. The conflict simply infers that someone can view video images of past events in a "real-time" mode off the video server (reference nos. 332 and 334). The images discussed in the *Amini* reference comprise images of the past. Accordingly, the storage system and subsequent image database (reference no. 334) pertain to past events. In contrast, the present system produces real-time and instantaneous remote viewing of video images at remote viewing sites as the video images occur.

Additionally, the Abstract of *Amini* discloses "[v]ideo images received by the off-site server are produced for live viewing and/or archived in an image database." (Emphasis added). As such, the *Amini* reference teaches viewing video footage after the fact. The user then remotely views the video "database" (reference no. 334). As previously noted, the present system produces real-time, actionable content.

21. The *Amini* reference teaches that a user remotely views off-site and archived video of past events. The present system provides for real-time remote wireless viewing of actual video at surveillance sites. This real time surveillance is not stored for later view/delayed response (as opposed to the teachings of the *Amini* reference); but instead, the present system allows for an immediate response or reaction to criminal, terrorist, insurgent or other surveillance activities as they are occurring. Furthermore, the present system may be set-up in a fixed or portable environment to accommodate needs beyond the landline leased telephone network (reference nos. 340 and 350) as taught by the *Amini* reference.

22. I have developed early microwave based analog systems for the U. S. government. As I developed the present invention in 2001, the surveillance systems in the industry used analog state technology. Once the IP standards of the present application were developed, the trend with many mission critical systems has been multi-faceted in that the system performs numerous tasks.

23. Additionally, several large governmental Department of Defense (DOD) military customers have now established the present system as the standard for new surveillance systems. For example, the U.S. Marine Corps request for Proposal (RFP) M67854-05-R-7040 seeking a Tactical Concealed Video System has requirements that closely mirror the performance characteristics of the present system.

24. To my knowledge, prior to the present system's commercialization of the IP standards based on a microwave remote video surveillance system, no similar system was available. As noted above, the surveillance industry primarily utilized analog standards for remote wireless video surveillance systems. Since the present system introduced the IP standards for the remote wireless video surveillance systems, I believe Sentrus has become the largest volume supplier of remote wireless IP standards based video surveillance systems in the industry.

25. The table below illustrates the increased sales and proposals in the three short years in which the claimed invention has been sold:

<u>Year</u>	<u>Systems Sold</u>
2002	1
2003	0
2004	2
2005	7 ¹

As can be seen, sales increased dramatically from 2002 to present. This year sales are ready to triple.

26. Customers have largely accepted the present system for remote wireless video surveillance system – especially the counter-terrorism market – because of the quality and reliability of the present system. See paragraph 11 within the affidavit of Randolph A. Johnson, which is filed concurrently herewith.

27. Other companies are currently copying the claimed system of the present application. These companies include Mobilisa Inc. and Argon Security Technologies.

28. The increase in sales and copying is substantially attributable to the industry gravating to the present system due to the installation efficiency, resultant reliability of the system and ability for future playback. Current analog systems are cumbersome, time consuming to install, consume a high current level, subject to short distance paths only and are unreliable in operation. These deficiencies of the current analog systems

¹ Note: Sentrus has six major, multi-million dollar governmental projects now pending. Of those, they are: Three (3) U. S. water port IED (Improvised Explosive Device) protection projects, totaling approximately \$10mm; An International Airport, perimeter security protection system, approximately \$5mm. Next, Sentrus has pending a congressionally support package for the DOD of approximately \$45mm for the U. S. military force protection projects. Lastly, a major U. S. defense contract has chosen the Sentrus platform for a large U. S. governmental nuclear protection project.

make the present system a requirement. For example, the U.S. Marine Corps RFP previously cited specify IP wireless transport infrastructure.

29. Despite the fact that the problems of the analog systems were well known, to my knowledge, no one has developed a system which solves these problems. My system is the first system I know of which solves these well-known problems associated with analog type systems. It solves a long felt, but unsolved need, in the industry.

30. Because of the digital IP standards of the present system, the present system provides a clearer, crisp signal on the remote viewing side. Also, the digital standards of the present system stores more easily on computer hard drives for simple and fast replay. This digital storage eliminates the need for cumbersome VHS or other external magnetic media to record and to playback the video. See Paragraphs 23 and 28 relating to the recent U.S. Marine Corps RFP for a Tactical Concealed Video System.

31. Because the present system uses an IP microwave radio transceiver to transmit the IP standards video signal, the present system eliminates a router or other cumbersome rack mounted protocol converters. The equipment of the present system sends the video signal in IP standards directly out the microwave radio, resulting in less equipment. Since the equipment is smaller, uses less power and can easily be concealed, the present system has direct applicability in DOD and anti-terrorism efforts. The current legacy analog systems used in the industry cannot accomplish these advantages. The DOD has selected the present system for incorporation into current government specifications.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant application or any patent issued thereon.

Dated: September 12, 2005


Richard D. Weinstein